NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application will be mailed in due course THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiality of the Office or upon petition by the applicant. See 37 OFR 1.313 and IMPEP 1308.  1. ☑ This communication is responsive to 27 August 2004  2. ☑ The allowed claim(s) is/are 1.10 and 13-20.  3. ☑ The drawings filed on are accepted by the Examiner.  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MALING DATE" of this communication to file a reply complying with the requirements noted below. Failure to limberly comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each shock Replacement sheet(s) should be labeled as submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL  Attachment(s)  1. ☐ Notice of Parlperson's Patent Drawing Review (PTO-948)  5. ☐ Information Disclosure Statements (PTO-14		Application No.	Applicant(s)	
Notice of Allowability   Examiner   Hoa V. Le   1752	Notice of Allowability	10/622,534	10/622,534 FUJITA ET AL.	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address- All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith for previously mailed, a Notice of Numeroce (PTOL-965) or other appropriate communication will be mailed in duc course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiation of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to 27 August 2004  2. ☑ The allowed claim(s) is/are 1-10 and 13-20.  3. ☐ The drawings filed on are accepted by the Examiner.  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-{d} or (f).  a) ☑ All b) ☐ Some c) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  **Certified copies of received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to limely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (b) ☐ including changes required by the attached Examin		· · · · · · · · · · · · · · · · · · ·		
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<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Informal Patent Application (PTO-152)</li> <li>Notice of Informal Patent Application (PTO-152)</li> <li>Interview Summary (PTO-413), Paper No./Mail Date</li> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 27 August 2004</li> <li>Examiner's Amendment/Comment</li> <li>Examiner's Statement of Reasons for Allowance</li> </ol>	a) All b) Some* c) None of the:  1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 6. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner' Paper No./Mail Date  (b) dentifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in to 7. DEPOSIT OF and/or INFORMATION about the depo	e been received. e been received in Application of this communication to file MENT of this application.  Initted. Note the attached EX es reason(s) why the oath of the submitted.  Son's Patent Drawing Reviews Amendment / Comment of the header according to 37 CF sit of BIOLOGICAL MATING.	on No  d in this national stage application from the areply complying with the requirem AMINER'S AMENDMENT or NOTICE or declaration is deficient.  W ( PTO-948) attached  In the Office action of the drawings in the front (not the back) or 1.121(d).  ERIAL must be submitted. Note the	ents E OF
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Application/Control Number: 10/622,534

Art Unit: 1752

This is in response to Papers filed on 27 August 2004.

- I. Partial English language translations Japanese Patent Nos. '067 and '068 filed on 27 August 2004 have been considered.
- II. The following is an examiner's statement of reasons for allowance:

Patentees in partial English language translations Japanese Patent Nos. '067 and '068 filed on 27 August 2004 disclose, teach and suggest that there may be used a benzenesulfonic acid in a high-concentration color photographic developer. However, there is no demonstration or reduction to practiced in any of the working examples that uses the benzenesulfonic acid to obtain or recognize its benefit. Therefore, no evidence of any benefit of the use of benzenesulfonic acid to be contributed in the art in accordance with the authority stated in In re Baird, 29 USPQ2d 1550.

Claims 13-20 are permitted to be rejoined with the allowable material claim 1 since they contained the allowable language "the concentration of the composition according to claim 1" only.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the III.

examiner should be directed to Hoa V. Le whose telephone number is 571-272-1332.

The examiner can normally be reached from 6:30 AM to 4:00 PM on Monday though Thursday

and about the same time of most Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Cynthia Kelly can be reached on 571-272-1526.

Applicants may file a paper by (1) fax with a central facsimile receiving number 703-

872-9306. Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hoa V. Le **Primary Examiner** 

Art Unit 1752

HVL

20 September 2004

HOA VAN LE PRIMARY EXAMINER